

REMARKS

Claims 24, 26-30, and 36-39 are pending in this application.

Applicants have amended claims 24 and 37. The changes to these claims made herein do not introduce any new matter.

Rejection Under 35 U.S.C. § 103

Applicants respectfully request reconsideration of the rejection of claims 24, 26-30, 37, and 39 under 35 U.S.C. § 103(a) as being unpatentable over *Ogiwara et al.* (“*Ogiwara*”) (US 7,161,701 B2) in view of *Yoshida et al.* (“*Yoshida*”) (US 7,154,619 B1) and further in view of *Smart et al.* (“*Smart*”) (US 2003/0208691 A1). As will be explained in more detail below, the combination of the *Ogiwara*, *Yoshida*, and *Smart* references would not have rendered the subject matter defined in independent claims 24 and 37, as amended herein, obvious to one having ordinary skill in the art.

Applicants have amended each of independent claims 24 and 37 to specify that the interrupted print operation is resumed from one of the objects specified by the second script (that is, the object that is first printed in the single page layout).

Applicants respectfully traverse the alleged obviousness of the claimed subject matter for the following reasons. First, each of claims 24 and 37 requires that the first information item specifying a plurality of objects allocated in a single page layout is transmitted *from the image output device to the image supply device*. In support of the obviousness rejection, the Examiner alleges that the layout information for index printing described in the *Ogiwara* reference at column 9, line 66 to column 10, line 8 corresponds to the claimed first information item. Even if this characterization of the *Ogiwara* reference is deemed to be correct, the *Ogiwara* reference does not disclose that the layout information is transmitted from PD printer 1000 (which is alleged to correspond to the claimed image output device) to digital camera 3012 (which is alleged to correspond to the claimed image supply device).

Second, each of claims 24 and 37 requires that the image supply device stores the first information item. In support of the obviousness rejection, the Examiner alleges that this feature is disclosed in the *Ogiwara* reference at column 10, lines 9-13. However, the cited portion of the *Ogiwara* reference merely teaches that the digital camera 3012 issues a print instruction and transfers an image file to the printed to the PD printer 1000. The *Ogiwara* reference does not disclose the storing of the information transmitted from the PD printer 1000. As discussed in more detail below, such a storing operation is not necessary in the *Ogiwara* reference.

Third, each of claims 24 and 37 requires that the second script specifying one of the objects *which is first printed by the image output device in the single page layout* is generated by the image supply device *based on the stored first information when the failure notification is received from the image output device*. In support of the obviousness rejection, the Examiner alleges that the *Ogiwara* reference discloses this feature at column 14, lines 22-34. Applicants respectfully disagree with this characterization of the *Ogiwara* reference relative to the claimed subject matter.

At column 14, lines 22-34, the *Ogiwara* reference merely discloses that i) the digital camera 3012 displays an error message when the PrintDisable (allegedly equivalent to the failure notification) is received, and ii) the user operates the operation button 3103 of the digital camera 3012 to transmit PrintRequest (allegedly equivalent to the claimed second script) to PD printer 1000 to resume the interrupted print operation.

Nothing other than the error message is generated by digital camera 3012 when the failure notification is received. As digital camera 3012 does not store information corresponding to the claimed first information item, it is impossible for the digital camera to generate information corresponding to the claimed second script based on the first information item.

Moreover, the PrintRequest is merely a command which would be equivalent to the claimed first script but does not contain any information as to the object which is first printed by the image output device in the single page layout as claimed. In addition, the PrintRequest is not generated when the failure notification is received from the image output device as claimed, but rather when operation button 3103 is actuated by the user.

Fourth, each of present claims 24 and 37 requires that the interrupted print operation is resumed from one of the objects specified by the second script (that is, the object that is first printed in the single page layout). As discussed above, the *Ogiwara* reference does not disclose any such operation of PD printer 1000.

Neither the *Yoshida* reference nor the *Smart* reference compensates for the above-discussed deficiencies of the *Ogiwara* reference relative to the presently claimed subject matter. The *Yoshida* reference, which discloses an image forming apparatus and terminal device connected to a network, has been cited to show resuming the interrupted print operation from the specified one of the objects based on the second information item. However, the *Yoshida* reference merely discloses that the print job is continued as soon as the problem is resolved. As such, the *Yoshida* reference does not provide any more information than that shown in the *Ogiwara* reference. Thus, the *Yoshida* reference does not cure the deficiencies of the *Ogiwara* reference relative to the subject matter defined in present claims 24 and 37

The *Smart* reference, which discloses a secure pick-up process for sending print jobs across a network, has been cited to show communication between a digital camera and a printer at least a part of which is described by a markup language. Thus, the *Smart* reference does not cure the deficiencies of the *Ogiwara* reference relative to the subject matter defined in present claims 24 and 37.

In view of the foregoing, even if the *Ogiwara*, *Yoshida*, and *Smart* references were to be combined in the manner proposed by the Examiner, the result of this combination would not have included each and every feature of the subject matter defined in present claims 24 and 37. As such, the combination of the *Ogiwara*, *Yoshida*, and *Smart* references would not have rendered the subject matter defined in present claims 24 and 37 obvious to one having ordinary skill in the art.

Accordingly, independent claims 24 and 37, as amended herein, are patentable under 35 U.S.C. § 103(a) over the combination of *Ogiwara* in view of *Yoshida* and *Smart*. Claims 26-30, each of which ultimately depends from claim 24, and claim 39, which depends from claim 37, are likewise patentable under 35 U.S.C. § 103(a) over the combination of *Ogiwara* in view of *Yoshida* and *Smart* for at least the same reasons set for above regarding the applicable independent claim.

Applicants respectfully request reconsideration of the rejection of claims 36 and 38 under 35 U.S.C. § 103(a) as being unpatentable over *Ogiwara* in view of *Smart*. Independent claim 36 defines an image processing method performed by an image supply device that includes a number of method operations that are either the same as or similar to those specified in independent claim 1. Thus, the first three deficiencies of the *Ogiwara* reference relative to the subject matter defined in claim 1 also apply to claim 36. Further, the *Smart* reference does not cure the deficiencies of the *Ogiwara* reference relative to the subject matter defined in claim 36.

Thus, even if the *Ogiwara* and *Smart* references were to be combined in the manner proposed by the Examiner, the result of this combination would not have included each and every feature of the subject matter defined in claim 36. As such, the combination of the *Ogiwara* and *Smart* references would not have rendered the subject matter defined in claim 36 obvious to one having ordinary skill in the art.

Accordingly, independent claim 36 is patentable under 35 U.S.C. § 103(a) over the combination of *Ogiwara* in view of *Smart*. Claim 38, which depends from claim 36, is likewise patentable under 35 U.S.C. § 103(a) over the combination of *Ogiwara* in view of *Smart* for at least the same reasons set for above regarding claim 36.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 24, 26-30, and 36-39, as amended herein, and submit that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. NGBCP005).

Respectfully submitted,
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